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Congress of the United States
House of Representatives

October 30, 2020

Christi A. Grimm
Principal Deputy Inspector General
Office of Inspector General
Department of Health and Human Services
330 Independence Avenue, SW
Washington, DC 20201

Dear Ms. Grimm,

I write regarding correspondence with the Department of Health and Human Services (HHS). Since the beginning of the pandemic, I have personally led or co-led 19 letters to HHS or sub-agencies. In total, I have received four responses: two from the Centers for Medicare and Medicaid Services and one from the Food and Drug Administration. I have not received a single response from the Office of the Secretary, though I have led or co-led seven letters to the agency.

In light of this, I request that the Office of Inspector General conduct an examination of congressional correspondence during the COVID-19 Public Health Emergency, including letters received and responses from the agency.

Specifically, please examine these questions:

1. How many congressional letters has HHS and its sub-agencies received during the COVID-19 public health emergency? How many congressional letters have received responses?
2. Of those letters that have received responses, please provide a breakdown based on the number of members of congress that signed on (i.e. one member, two to five members, five to twenty members, twenty-one to fifty members, fifty or greater).
3. Of those letters that have received responses, please provide a breakdown based on party of the members of congress.
4. Of those letters that have received responses, please provide the length of time between receipt and response broken down by party of the members of congress.
5. Does HHS plan to respond to each congressional correspondence?

Without appropriate response from federal agencies, Congress cannot perform its oversight function and hold the federal agencies accountable to our constituents, the taxpayers. Attached is a list of the 19 letters referred to above. I appreciate your attention to this matter.

Sincerely,



Bill Pascrell, Jr.
Member of Congress

Correspondence with HHS regarding COVID-19 Pandemic

- February 25: Rep. Pascrell and Senator Menendez sent a letter to the FDA urging the agency to prioritize the safety of the drug and protective equipment supply chain. No response.
- March 3: Rep. Pascrell sent a letter to the FDA and FTC regarding a product falsely advertising a cure for COVID-19. The FTC subsequently sent the company a warning letter on March 9 and notified Rep. Pascrell.
- March 10: Rep. Pascrell sent a letter to the CDC regarding misinformation coming from the Trump Administration, asking specifically if any experts were being censored. No response.
- March 16: Rep. Pascrell and Senator Menendez led several New Jersey delegation members in sending a letter to HHS regarding New Jersey's request for hospital supplies including personal protective equipment, ventilator supplies, and antiviral drugs. No response.
- March 18 and 20: Rep. Pascrell and Senator Menendez led several New Jersey delegation members in sending two letters to CMS urging them to approve New Jersey's Medicaid 1135 Waiver, which relaxes requirements for certain health care providers in a public health emergency. Both waivers have been granted and the office received a response.
- March 27: Rep. Pascrell and Senator Menendez led several New Jersey delegation members in sending a second letter to HHS regarding New Jersey's request for hospital supplies including personal protective equipment, ventilator supplies, and antiviral drugs. No response.
- March 31: Rep. Pascrell, Sens. Menendez and Booker, and Reps. Higgins and Suozzi led the bipartisan New Jersey and New York delegations in a letter to Secretary Azar urging him to prioritize the \$100 billion in hospital funding from the CARES Act for the NJ-NY region. No response.
- April 8: Rep. Pascrell and Senator Menendez sent a letter to the FDA regarding the agency's decision to fast-track therapies that are unproven and seemingly based on politics. No response.
- April 10: Rep. Pascrell, Senator Menendez, and Senator Booker sent a letter to HHS and CMS regarding their flawed methodology for distributing the first tranche of hospital/provider funding. No response.
- June 5: Rep. Pascrell, Rep. Panetta, and Sens. Menendez and Casey led a bicameral letter signed by 114 representatives and 21 senators to HHS and CMS regarding Long Term Care Facilities nationwide. No response.
- June 17: Rep. Pascrell and Reps. Porter and DeLauro sent a letter to HHS regarding loans to private equity-owned hospitals and health companies. No response.
- June 24: Rep. Pascrell and Rep. Porter sent a letter to HHS regarding their decision to delay reporting requirements for hospitals and providers that received Provider Relief Funds. No response.
- July 2: Rep. Pascrell and Sen. Menendez sent a letter to FDA regarding the politicization of the COVID-19 vaccine development process. The office received a response outlining vaccine approval process.
- July 2: Rep. Pascrell and Sen. Menendez sent a letter to BARDA regarding their shift in strategy on COVID-19 vaccines and therapeutics. No response.
- July 7: Rep. Pascrell and Rep. Doggett sent a letter to CMS regarding inaccuracies in Nursing Home reporting. No response.
- August 24: Rep. Pascrell led Reps. Beyer and Porter in sending a letter to FDA regarding Trump's statements on oleandrin. No response.
- September 30: Rep. Pascrell and Rep. Doggett sent a letter to HHS regarding the prescription drug cards the administration plans to send out to Medicare beneficiaries. No response.
- October 1: Rep. Pascrell and Reps. Porter and DeLauro sent a letter to HHS requesting follow-up on the June 17 letter on private equity owned hospitals receiving large loans. No response.